

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

CASE NO. 3:14-bk-02690-JAF

PEDRO SAAVEDRA and
VIVIANA SAAVEDRA,
d/b/a Saavedra Farms,

Debtors.

**DEBTORS' MOTION FOR VALUATION OF PROPERTY OF
THE ESTATE AS TO SECURED CREDITOR,
BAC HOME LOANS SERVICING, L.P.
A SUBSIDIARY OF BANK OF AMERICA, N.A.
fka COUNTRYWIDE HOMELOANS SERVICING, LP.**

**NOTICE OF OPPORTUNITY TO
OBJECT AND FOR HEARING**

Pursuant to M.D. Fla. L. B. R. 2002-4(a)(6), the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection within 30 days from the date this paper is entered on the docket. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Court at United States Bankruptcy Court, 300 North Hogan Street, 3-350, Jacksonville, Florida 32202-4267, and serve a copy on the movant's attorney, Anthony W. Chauncey, Esquire, Post Office Box 1288, Live Oak, Florida 32064 and Douglas W. Neway, Esquire, Post Office Box 4308, Jacksonville, Florida 32201.

If you file and serve an objection within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper,

will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

The Debtors, Pedro Saavedra and Viviana Saavedra, through the undersigned counsel, in accordance with 11 U.S.C. §506(a), serves this Motion to Value Property of the Estate in which the Secured Creditor, BAC Home Loans Servicing, L.P., a subsidiary of Bank of America, N.A., also fka Countrywide Home Loans Servicing, L.P., holds a mortgage or security interest and asserts as follows:

1. The Debtor requests valuation in accordance with § 506(a), United States Bankruptcy Code.
2. The name of the lienholder is: BAC Home Loans Servicing, L.P.
3. The type of property is personal (or real) property described as: Part of the SE 1/4 of the SE 1/4 of Section 29, Township 5 South, Range 14 East, Suwannee County, Florida, being more particularly described as follow: For Point of Reference commence at the Southeast corner of said Section 29, thence run S 88°36'31" W along the South line of said Section 29, a distance of 604.74 feet; thence run N 01°19'58" W, a distance of 35.48 feet to the North right of way line of 240th Street and the Point of Beginning; thence run S 88°49'23" W along said North right of way line a distance of 208.71 feet; thence run N 01°19'58" W a distance of 208.71 feet; thence run N 88°49'23" E a distance of 208.71 feet; thence run S 01°19'58" E a distance of 208.71 feet to the Point of Beginning, containing 1.0 acre.
4. The amount of the debt is in excess of \$150,000.00.
5. The fair market value of the collateral is \$100,000.00.

WHEREFORE, the Debtors request this Court to enter an Order valuing the Property of the Estate described above in which the Secured Creditor, BAC Home Loans Servicing, L.P., holds a mortgage or security interest at \$100,000.00. An Affidavit of Valuation is attached.

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing was furnished by electronic/email notification or United States Mail, postage prepaid and first class, to Douglas W. Neway, Esquire, Chapter 12 Trustee, Post Office Box 4308, Jacksonville, Florida 32201; and by certified mail in accordance with Rule 7004(h), Federal Rules of Bankruptcy Procedure, to Brian T. Moynihan, President and Chief Executive Officer, Bank of America, N.A., at his corporate headquarters, 100 North Tryon Street, Bank of America Corporate Center, Charlotte, North Carolina 28202 on this 27th day of June, 2014.

THE DECKER LAW FIRM, P. A.

BY /s/ Anthony W. Chauncey
Anthony W. Chauncey, Esquire
Florida Bar No. 75023
320 White Avenue - Street Address
Post Office Drawer 1288 - Mailing Address
Live Oak, Florida 32064
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Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
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IN RE:

CASE NO. 3:14-bk-02690-JAF

PEDRO SAAVEDRA and
VIVIANA SAAVEDRA,
d/b/a Saavedra Farms,

Debtors.

AFFIDAVIT OF VALUATION - BAC HOME LOANS SERVICING, L.P.
[1 Acre]

STATE OF FLORIDA
COUNTY OF SUWANNEE

BEFORE ME, the undersigned authority, personally appeared Pedro Saavedra and Viviana Saavedra who upon being first duly sworn state as follows:

1. The Debtors request valuation of the collateral described below in accordance with § 506(a), United States Bankruptcy Code.
2. The name of the lienholder is: BAC Home Loans Servicing, L.P.
3. The type of property is personal (or real) property described as: Part of the SE 1/4 of the SE 1/4 of Section 29, Township 5 South, Range 14 East, Suwannee County, Florida, being more particularly described as follow: For Point of Reference commence at the Southeast corner of said Section 29, thence run S 88°36'31" W along the South line of said Section 29, a distance of 604.74 feet; thence run N 01°19'58" W, a distance of 35.48 feet to the North right of way line of 240th Street and the Point of Beginning; thence run S 88°49'23" W along said North right of way line a distance of 208.71 feet; thence run N 01°19'58" W a distance of 208.71 feet; thence run N 88°49'23" E a distance of 208.71 feet; thence run S 01°19'58" E a distance of 208.71 feet to the Point of Beginning, containing 1.0 acre.
4. The amount of the debt is in excess of \$150,000.00.
5. The fair market value of the collateral is \$100,000.00.

Pedro Saavedra

Pedro Saavedra
Affiant-Debtor

Sworn to and subscribed before me
on this 27 day of June, 2014.

Viviana Saavedra

Viviana Saavedra
Affiant-Debtor

Connie Kotnik-Abel

Type Name: Connie Kotnik-Abel
Notary Public, State of Florida
COMMISSION EXPIRY/NUMBER:

PERSONALLY KNOWN _____ OR PRODUCED IDENTIFICATION XXXX
DESCRIBE IDENTIFICATION PRODUCED Driver's License
DID TAKE AN OATH XXXXXX DID NOT TAKE AN OATH _____

09040A



